

**VERTICAL CONSOLIDATION OF
DISTRICT COURT AND BANKRUPTCY COURT
CLERKS' OFFICES**

Report prepared for the Cost Containment Subcommittee
of the Judicial Conference's
Court Administration and Case Management Committee

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April 2017

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Executive Summary

The Court Administration and Case Management (CACM) Committee, through its Cost Containment Subcommittee, is currently investigating a variety of organizational models for delivering administrative support to the judiciary. These organizational models may present potential avenues for cost savings. The focus of this report is one such organizational model: “vertical consolidation,” or the circumstance in which, within a district, there is one clerk of court and one unified clerk’s office serving the needs of both the district court and the bankruptcy court. By way of surveys and interviews, we collected information from the six districts that currently function with a consolidated clerk’s office and the three districts that at one time consolidated their clerks’ offices but subsequently deconsolidated the offices. We used this information to create profiles of each study district and to identify factors common to districts in which consolidation was, and was not, sustained.

Six districts are currently operating with a consolidated clerk’s office:

- The District of Idaho, Western District of Missouri, Southern District of Texas, and District of Columbia have each been functioning with a consolidated clerk’s office for a decade or more and have each long since received congressional approval of the consolidation.
- The District of Montana and District of Vermont each consolidated their clerks’ offices much more recently, functioning in the same manner as the other four districts though awaiting final congressional approval of consolidation.

Three districts previously consolidated but subsequently deconsolidated their clerks’ offices: the Western District of Texas, Eastern District of Pennsylvania, and Southern District of West Virginia.

Vertical Consolidation of Court Clerks' Offices

We found that vertical consolidation has worked for a number of districts. Factors critical to success appear to be threefold.

- Bankruptcy court personnel must trust district court personnel to treat them fairly. This trust must be fostered and maintained; it cannot be imposed or allowed to wane.
- Management personnel—the court unit executive in particular—must set a tone of respect, equality, and inclusion.
- There must be “buy-in” from judges, management, and staff.

Vertical consolidation may hold the potential to save money over time, though court personnel emphasize that cost savings should not be a motivating factor. In its initial stages consolidation requires extra work and may require higher-paid management positions. Thus, the amount of savings, if any, that might accrue from future vertical consolidations is unknown, as is the time within which potential savings might be realized. The potential for savings would depend on how individual courts implemented consolidation and, importantly, whether the consolidation received continued support so that it endured.

Deconsolidations appear to share at least two conditions:

- feelings of mistrust, disrespect, or inequity, particularly on the bankruptcy side
- perceptions of unfair resource allocation

Deconsolidation is painful, counterproductive, and undermines both trust and future efforts at cooperation, with negative feelings lingering long afterward. The nonmonetary costs of deconsolidation are high.

Introduction

In March 2015, the Judicial Conference's Budget Committee asked the Court Administration and Case Management (CACM) Committee to lead an initiative to identify and evaluate a number of organizational models for delivering administrative support to the judiciary. To address this request, the CACM Committee formed a multicommittee Cost-Containment Subcommittee consisting of two members each from the CACM, Bankruptcy, Criminal Law, Defender Services, Judicial Resources, and Magistrate Judges Committees. Mindful of the importance of operating the federal courts as efficiently as possible, and attuned to the possibility of limited budgetary resources, the subcommittee agreed to oversee several studies of organizational structures that could provide efficient administrative support to court units while containing cost.¹

At its meeting in September 2015, the subcommittee decided that the initiative should review three separate organizational concepts for managing administrative functions within the courts: "vertical consolidation," "horizontal consolidation," and shared administrative services models that include organizing administrative support service centers (separate from court clerks' offices) on a regional or other basis.² This report presents the results of a study of the first of these three concepts, vertical consolidation.

Vertical consolidation refers to the circumstance in which, within a district, there is one clerk of court and one unified clerk's office serving the needs of both the district court and bankruptcy court. Under current Judicial Conference guidelines, a district's bankruptcy court clerk's office and district court clerk's office are deemed consolidated when they operate without

¹ The idea to study vertical consolidation arose independently at a separate CACM Committee meeting; the study was undertaken in response to this request by CACM and is now under the umbrella of the Cost Containment Subcommittee.

² "Horizontal consolidation" is currently being studied by the Bankruptcy Committee, by way of a pilot project.

a clerk of the bankruptcy court or when all of the functions of a bankruptcy clerk's office are performed by the district court.³

Six districts nationwide currently have a consolidated district court clerk's office and bankruptcy court clerk's office, i.e., a single unit providing support to both district and bankruptcy courts.⁴ Four of these districts—the District of Idaho, Western District of Missouri, Southern District of Texas, and District of Columbia—have been functioning with a consolidated clerk's office for a decade or more and have long since received congressional approval of their consolidation. Two additional districts, the District of Montana and District of Vermont, have consolidated their clerk's offices much more recently. Though functioning in the same manner as the other four districts, Montana and Vermont are awaiting final congressional approval of their consolidations.

The authors sought to develop a profile of each of these six districts. Because the operation of a consolidated clerk's office is atypical in the federal court system, the organizational and court governance structures may depart from structures used elsewhere. We describe the consolidated structures and operation with an eye to the logistical and administrative challenges presented and how those challenges have been addressed. For example, district size, the number of sitting judges, and the provision of IT services are often cited as factors that argue for or against consolidation. We have attempted to address those areas when describing each

³ Consolidation of a district's bankruptcy court clerk's office and district court clerk's office is governed by 28 U.S.C. § 156(d). The process of consolidation requires consent of the bankruptcy court judges, approval by the Judicial Conference, and, ultimately, authorization from Congress. In addition, *Procedures for Combining Functions of Clerks' Offices in the District and Bankruptcy Courts* (JCUS-MAR 98, pp. 10–11) provides guidance to districts considering consolidation under 28 U.S.C. § 156(d). We do not address the legal and procedural requirements for consolidation or deconsolidation except insofar as the understanding of those requirements has impacted the attainment or frustration of consolidation objectives.

⁴ We do not address in this report the related but different situation in which a district has always been supported by a single clerk (e.g., the Northern Mariana Islands, Guam, or the Virgin Islands).

consolidated clerk's office.⁵ Of course, we also inquired about cost savings and expenses, understanding that anecdotal evidence must be evaluated in light of the harder data that will come from the subcommittee's other investigations.

There are also three districts in which the bankruptcy court clerk's office and district court clerk's office were once consolidated but later deconsolidated: the Western District of Texas, Eastern District of Pennsylvania, and Southern District of West Virginia. In developing profiles of these three districts we focused on the factors that frustrated the consolidation initiatives. Because these districts, with their now-separate district court and bankruptcy court clerks' offices, again function like the vast majority of federal courts throughout the country, we concentrated less on current structure and governance and instead focused on the history of consolidation, the lead-up to deconsolidation, and the lasting impacts of that history.

Finally, in all nine study districts we sought to determine whether any consistent experiences, themes, or outcomes were present across the districts in which consolidation was, or was not, successful. These themes are presented in the conclusion, though we leave policy formulation to the subcommittee, the appropriate Judicial Conference committees, and the Judicial Conference.

We collected information about the study districts in two ways. First, we surveyed the clerk of court from each district with a currently consolidated clerk's office, and we surveyed the bankruptcy court clerk and district court clerk from the districts that later deconsolidated their clerks' offices. The survey results informed the second part of our study: interviewing personnel from each of the districts. Ultimately, we conducted over thirty interviews, each lasting between approximately 20 minutes to over an hour, generating hundreds of pages of transcribed text. For each study district we aimed to interview the clerk (or clerks) of court, at least one judge, and

⁵ These districts are sometimes referred to in shorthand as "consolidated courts"; however, they are more accurately described as "districts with a consolidated clerk's office."

other current or former court personnel with firsthand or important perspectives on the consolidation (and if applicable, deconsolidation).⁶ From the survey responses and interviews, we developed the profiles and conclusions presented here.⁷

⁶ There was only one exception: a district with deconsolidated clerks' offices in which we encountered limited availability of personnel willing to participate in our interviews.

⁷ Due to the nature of memory, the passage of time, and differing perceptions, the overall profile of any one district's consolidation (and if applicable, deconsolidation) may not perfectly match any one interviewee's recollection or perspective. The profiles are intended as general overviews and as a means to identify similarities and differences among the experiences of the study districts.

Districts with a Currently Consolidated District Court and Bankruptcy Court Clerk's Office

District of Idaho

The District of Idaho encompasses the entire state of Idaho. The district and bankruptcy courts convene in four locations: Boise, Pocatello, Coeur d'Alene, and Moscow. There is one active district judge, one senior district judge, three magistrate judges (one of whom is recalled and works part-time), and two bankruptcy judges in the district. The Judicial Conference has also approved one additional permanent Article III judgeship for the last thirteen years.

Consolidation timing. The district began considering consolidation around May 1985, decided in July 1985 to pursue consolidation, and was operating with a consolidated clerk's office before the end of 1986. (Due to physical constraints, it took until 1994 for the district court and bankruptcy court to be consolidated into one shared space.)

Impetus and process. Consolidation of the two clerks' offices was undertaken at the behest of the bankruptcy judges, who sought assistance from the district court clerk and staff in managing the bankruptcy court's caseload. The process began with a conversation initiated by the chief bankruptcy judge, followed by a formal letter, co-signed by the chief bankruptcy judge and chief district judge, indicating interest in integrating the two courts' clerical staff. The motivation for pursuing consolidation was to increase efficiency and to reorganize and improve management, administration, and operations.

The consolidation process was relatively quick and smooth, although it did require quite a bit of work to manage and balance responsibilities of the newly consolidated court. Because the District of Idaho was one of the first districts in the country to undertake consolidation, personnel were not aware of other districts from which to seek guidance or on which to model

their efforts. Despite the fact that they felt they were “breaking new ground,” they reported no significant bumps in the road.

Before consolidation, district and bankruptcy court staff were housed in separate buildings. Due to space constraints, this physical separation continued well after consolidation. When sufficient space became available in the district court courthouse, all bankruptcy court judges and staff moved there.

*Management structure.*⁸ At the outset of consolidation, the district court clerk and district court chief deputy continued in their posts. The bankruptcy court clerk became the deputy clerk for bankruptcy operations, a position that was eliminated following a subsequent reorganization. Currently, there is a chief deputy for operations (for both the district and bankruptcy courts) and a chief deputy for administration, both of whom report to the clerk of court, with dotted line supervision of the chief of probation due to the shared administration services environment. The district continues to have a chief of probation and pretrial services who, as discussed below, collaborates extensively with the clerk of court in the district’s governance structure.

The clerk of court reports directly to, and confers regularly with, the chief district judge, chief bankruptcy judge, and chief magistrate judge on matters affecting operation and administration of the courts. Separate meetings are held with the chief district judge and chief magistrate judge regarding matters specific to the operations of the district court, and similar meetings are held with the chief bankruptcy judge regarding bankruptcy court operations. In addition, the clerk, her two chief deputies, the chief of probation and pretrial services, and the deputy chief of probation meet as a group as needed to discuss administrative and operational

⁸ A copy of the District of Idaho’s organizational chart is attached as Appendix A.

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issues of mutual concern across the three court units. “Making decisions that are in the best interest of the District of Idaho” is the governing standard.

Overarching administrative matters and matters that affect the balance of resource allocation are addressed by the district’s board of judges, which includes all the judges in the district (circuit, district, magistrate, bankruptcy, senior, and recalled). If a decision must be made other than by consensus, each attending judge has one vote, and majority rules. A matter very seldom comes down to a vote. In other words, though the chief district judge has the final say “on paper,” the district is governed by a democracy among its judicial officers.

Staffing. The staff of the consolidated district and bankruptcy courts, as well as the shared administrative services staff of the probation and pretrial services office, function as one cohesive court unit. Among the line operations staff (“operations specialists”) there is a significant degree of cross-training. Some of the employees support both court units, and others are able to “pinch hit” for another employee when circumstances require. Many operations staff members are trained to handle intake for cases filed in either the district court or bankruptcy court. Each judge has a designated courtroom deputy, and there are two more “at large” courtroom deputies capable of handling courtroom duties for any district, bankruptcy, or magistrate judge.

IT support is provided to both the district and bankruptcy court units by a single technology team. Court personnel feel that the technology support they receive is very good. The team is able to provide administrative support to both bankruptcy and district operations—judges and staff. The probation and pretrial services office has not yet integrated its IT team with the courts’ team; however, the subject is being explored.

Outcomes. Benefits of consolidation noted by court personnel include a leaner and more agile organizational structure, employees with the flexibility to fill multiple needs within the court, and increased efficiency and cost savings on a number of fronts, including rent and

salaries. Drawbacks cited include current systems (e.g., calendaring, finance/budgeting, and inventory applications) that do not accommodate consolidated clerk's office operations, creating inefficiencies and requiring redundant entry of information into disparate systems. In addition, it was noted that workloads, particularly for high-level staff, are likely higher than workloads of personnel in similar positions supporting a single court unit.

Interviewees emphasized the importance of the consolidated district and bankruptcy operational staff and consolidated district, bankruptcy, and probation and pretrial services team working together and cooperating. Leadership from the top sets the tone of respect and buy-in. Strong positive relationships existed during consolidation, and continue to exist currently, among district court and bankruptcy court personnel and probation and pretrial services personnel.

Western District of Missouri

The Western District of Missouri has three divisions: Kansas City, Jefferson City, and Springfield. Its complement of judges includes six district judges, six senior district judges, six magistrate judges, and three bankruptcy judges. Judges sit throughout the district.

Consolidation timing. The Western District of Missouri consolidated its district court and bankruptcy court clerks' offices in the mid-1980s. Thus, along with the District of Idaho, the Western District of Missouri was one of the first districts to consolidate its clerks' offices.

Impetus and process. Consolidation was initially considered because the bankruptcy court was having trouble efficiently processing its caseload. Personnel from both the district court and bankruptcy court noted the growing backlog, and after reviewing the situation the bankruptcy court and district court agreed to consolidate their clerk's offices. The district also wanted to reduce the physical separation between staff of the district and bankruptcy courts, so that people could work more closely together.

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Consolidation occurred over an extended period of time in “waves” or “tiers.” An initial operational integration occurred around 1986 when the clerk of the bankruptcy court retired and was not replaced. Later integration happened as “an evolutionary process” as more systems became automated, aiding the courts’ ability to increasingly consolidate. Later, in 1998, the courts moved into a new courthouse that could accommodate all staff.

*Management structure.*⁹ Currently, a court executive oversees the consolidated clerk’s office operation for the bankruptcy and district courts. Probation and pretrial services are consolidated with the clerk’s office in all areas. The court executive addresses judges’ requests for funds and special projects and generally works out priorities. On rare occasions she consults judges “en banc” to sort out competing initiatives, but there is very little competition for resources.

Reporting to the court executive are a chief deputy for operations and a chief deputy of administration. The former has responsibility for both bankruptcy and district court matters; the latter’s responsibilities include training, human resources, budget, finance, IT, and procurement. The chief deputy for operations also oversees space and facilities matters. The two deputies are located in Kansas City, though the operations deputy oversees divisional managers in Jefferson City and Springfield.

Primary management responsibilities are handled by a senior leadership team consisting of the court executive, chief deputy for operations, chief deputy for administration, and chief and deputy chief of probation and pretrial services. The senior leadership team meets each month. There is also a leadership team, likewise meeting monthly, consisting of lower level managers from all locations and all areas, including probation and pretrial services.

⁹ A copy of the Western District of Missouri’s organizational chart is attached as Appendix B.

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District and bankruptcy court judges in the district consider themselves to be “full partners” in the work of the court, with equal voices in managing the district’s business—with the exception that selection and retention of the court executive is solely within the power of the district judges.

Staffing. All operations staff are housed on one floor, administrative staff on another. Cross-training remains a work in progress. Staff members are currently being trained to handle miscellaneous duties, including assisting pro se litigants and functioning as courtroom deputies for all judicial officers.

For routine support matters, including IT, the district’s judges can call on staff directly. The operating orders are that all judges’ requests and needs are of equal weight and demand equal attention. The court executive serves as a buffer between staff and judges as needed.

The “first cut” at budgeting is done by a designated staff member and passed through the senior leadership team to the judges. In terms of bookkeeping and reporting, separate allotments for bankruptcy and district courts are observed. However, in funding and staffing the courts’ work, the court executive treats the total amount as “one pot” to be used for the whole district. Employees are used where needed and paid from available funds, whether their work is principally in one area or another.

In addition, the court executive convenes quarterly all-staff meetings to ensure open communication within the court units (including probation and pretrial services). The office has a diversity committee and encourages full staff integration.

Outcomes. Consolidation increased the efficiency of processing bankruptcy cases. Some cost savings resulted from cross-training and attrition, but savings due to consolidation specifically have not been large. Interviewees felt cost savings should not be a motivation for consolidation.

Court personnel felt that support from judges in both the bankruptcy and district courts was key in setting the tone for staff during and after consolidation. It was significant to staff that judges cooperated and got along among themselves. Personnel also felt that the bankruptcy court in general, and the bankruptcy judges specifically, needed to be in favor of consolidation for it to succeed. They felt the current co-location of staff to be important as well.

One drawback that was noted in this and other districts with a consolidated clerk's office: budgeting and auditing procedures and standards, which do not formally recognize consolidated operations, complicate finances and lead to extra work.

Southern District of Texas

The Southern District of Texas is the largest district that has consolidated its district and bankruptcy court clerks' offices. The district has seven divisions. The district has twenty-seven district judges, fifteen magistrate judges, and six bankruptcy judges.

Consolidation timing. The Southern District of Texas decided to pursue consolidation in fall 1985. Although considered by the district to be complete in November 1985, consolidation was described as an ongoing process and an "evolution" that continued in the years that followed.

Impetus and process. The consolidation was effected in response to the bankruptcy court's difficulties in managing its caseload, dissatisfaction among the bankruptcy bar and others, and the perception that the bankruptcy court was not being responsibly managed. In part this was due to disorganization following the Bankruptcy Reform Act and an inability of bankruptcy staff to handle the resulting influx of cases. Formal consent of the bankruptcy court and its judges was neither required nor sought before consolidation was considered, though bankruptcy court personnel agreed they needed help, which the district court moved to provide. Thus, though

action was based on perceived need, as with other consolidations, in this instance the initiative came primarily from the district court.¹⁰

Court personnel reported that consolidation occurred without tension among the judges or court staff. The bankruptcy court personnel knew an improvement was needed, and while they did not initiate consolidation, they were glad to see better support and to have administration get “back on track.” The district court established new policies and procedures for administering the bankruptcy caseload. After the initial consolidation and amelioration of the bankruptcy case-processing procedures, the court later went on to consolidate all of its administrative support and other systems.

*Management structure.*¹¹ The clerk of the district court operates as the chief executive, with the chief deputy clerk reporting directly to him. Reporting to the chief deputy are the systems manager, the head staff attorney, the director of operations, and managers for facilities and construction and for administrative support. (Human resources, finance/procurement, and IT support are provided to probation and pretrial services under a shared services arrangement.)

The court governance structure for the Southern District of Texas is more hierarchical than that of other districts with consolidated clerks' offices. The chief district judge is the principal decision maker. For some matters, the district judges meet and decide issues as a group. The decision-making process was described as “consultative,” with the proviso that though there is an open and cooperative consultation process in the “lower levels” of the court, final authority is placed with the district judges and ultimately the chief district judge. Decisions are informed through liaison judges charged with maintaining communication with, for example, magistrate

¹⁰ It was reported to us that the problems at the bankruptcy court had come to the attention of the Circuit Court via visiting judges and resulted in the Circuit's encouragement that the district court consider consolidation as a means to improve service and efficiency.

¹¹ A copy of the Southern District of Texas's organizational chart, followed by the clerk's supplemental notes, is attached as Appendix C.

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judges and the bankruptcy court. The district court perceives the bankruptcy court as a “unit of the district court” and therefore subject to the district court’s supervision of its affairs.

That said, the bankruptcy judges meet often, though not necessarily monthly, and the clerk attends their meetings. The chief bankruptcy judge works with the liaison district judge, who sometimes attends the bankruptcy judges’ meetings. All judges, including magistrate judges, have an open line to the clerk and the managers, particularly the IT manager, when their needs require. The chief bankruptcy judge and chief district judge receive monthly budget reports. Money is freely moved around to support the needs of the bankruptcy and district courts and, more recently, probation and pretrial services, which has been effectively integrated into the consolidated clerk’s office for administrative support (except for IT functions). As in other districts with consolidated clerks’ offices, bookkeeping is complicated by the separateness of formal budgets. The clerk has considerable autonomy to move funds from one source to another to meet the district’s overall needs.

Staffing. Within the court, cross-training is extensive. Almost all staff on the operations side can “do it all” (e.g., docketing, intake) for both the bankruptcy and district courts. Likewise, administrative support functions (e.g., IT, HR, finance) for both courts are accomplished by a unified support staff. Although each bankruptcy judge has two dedicated staff members (the courtroom deputy/ECRO operator and a case manager) and each district judge has a dedicated case manager, almost all personnel can shift between district and bankruptcy court (and probation and pretrial) tasks and attend to different court matters as needed.

Outcomes. Judges and court managers believe the consolidated operation has improved efficiency. When consolidation was implemented, no employees were let go. Though not the goal, savings were realized over time through attrition, merging space and facilities, cross-training, and eliminating redundancies. Staff have been encouraged to view consolidation as an opportunity for growth and advancement.

District of Columbia

The District of Columbia is atypical in several respects: it has fifteen active district judges and only a single bankruptcy judge; the district court has a high case volume because of its extensive jurisdiction over federal administrative and regulatory matters; and local economic and employment conditions keep bankruptcy filings relatively low. The district has just one location for holding court.

Consolidation timing. The District of Columbia began considering consolidation in December 2004, decided to pursue it in April 2006, and was operating as a consolidated unit by March 2007.

Impetus and process. Consolidation was conceived by the district court clerk and bankruptcy court clerk as a way to maintain and improve support and services. The clerks had a very close relationship and extensively shared services before considering consolidation. As the retirement date for the bankruptcy court clerk approached, the two clerks concluded that consolidation would be worthwhile. In particular, fluctuating caseloads and resulting changes in staffing formulas convinced them that consolidation could stabilize the office and its functions over time. Given that the district's overwhelming center of gravity was, and remains, in the district court, the matter was not a topic of concern among the district court judges. The bankruptcy court expected "not to be forgotten," and it has to date felt well supported.

The clerks' consolidation proposal met with consensus among the judges and was formalized with a written understanding. Upon the bankruptcy court clerk's retirement, the remaining clerk exercised her discretion and expertise to design and implement the consolidation model. Before consolidation occurred, an acting bankruptcy court clerk was named. Consolidation went fairly smoothly with one exception: the process moved forward relatively quickly, and members of the bankruptcy staff initially felt "in the dark" and

Vertical Consolidation of Court Clerks' Offices

apprehensive. However, the clerk immediately took steps to alleviate these feelings (*see Staffing, below*).

*Management structure.*¹² The clerk makes decisions and confers with the chief bankruptcy judge as necessary. If the clerk and chief bankruptcy judge disagree, the clerk brings the issue to the chief district judge; however, the courts operate in such a way that this almost never occurs.

There are currently two chief deputies: one for operations and one for administration. There is also a deputy in charge for bankruptcy. Due to retirement of experienced staff and new hiring, the current staff is made up of many relatively new employees. Different court management structures continue to be evaluated. Even before consolidation, the bankruptcy court and district court entered into a shared services agreement. Currently, one IT director, one assistant IT director and a host of other IT staff provide all IT services for the district.

Regarding finances, the original consolidation agreement stated that general expenses would be split 85/15 between district court and bankruptcy court. Over time, the clerk, who has a great deal of autonomy, has been given discretion to adjust this ratio as needed.

Staffing. Since consolidation, the clerk has continued to push for full staff integration by locating all case administrators and docketing clerks in the same work space and promoting cross-training. She bases her management style on the premise that open communication is the key to trust, and trust is the key to success in a consolidated clerk's office. Her efforts have been assisted by turnover and the passage of time: few line staff predate consolidation, and new hires expect they will be cross-trained to work on both district court (civil and criminal) and bankruptcy court matters. The court culture has embraced a "single district" mentality where district and bankruptcy courts and staff are co-equal—indeed, are reminded when necessary to refrain from considering district court or bankruptcy court matters as distinct.

¹² A copy of the organizational chart for the District of Columbia is attached as Appendix D.

Vertical Consolidation of Court Clerks' Offices

Preparations for potential furloughs as a result of sequestration exemplify the “one court” management environment. The initial view, based on the data and staffing formulas, was that bankruptcy court staff would be furloughed for considerably more days than district court staff. The clerk, with the chief district judge’s approval, recalculated to equalize the anticipated furlough days. Though furloughs never became a reality, staff saw and appreciated the fairness of consolidated management.

Outcomes. Although there has been no formal comparative study, the district feels savings in both space and staffing have exceeded preconsolidation numbers due to shared administrative services. As with other districts that have consolidated clerks’ offices, the fact that district and bankruptcy court budgets and work measurement are separate means work “has to be done twice,” absorbing time and resources needlessly.

Districts in which Consolidation has been Approved by the Judicial Conference Pending Final Congressional Approval¹³

District of Montana

The District of Montana is a geographically large district with a comparatively small caseload. There are three active district judges, three senior district judges, three magistrate judges, and one bankruptcy judge. Chambers are scattered throughout the state in: Missoula (one active district judge, one senior district judge, one magistrate judge), Great Falls (one active district judge, one magistrate judge), Billings (one active district judge, one magistrate judge), Helena (two senior district judges), and Butte (one bankruptcy judge). The district also has three recalled magistrate judges who carry very small civil caseloads.

Consolidation timing. The District of Montana began considering consolidation in October 2014, decided to pursue it in January 2015, and has been operating as a consolidated unit since April 2015, with final congressional approval pending.

Impetus and process. The district and bankruptcy court clerks began discussing the prospect of consolidation informally in spring 2013 in response to severe budget constraints, but the bankruptcy court clerk ultimately terminated the discussion after consulting with the Administrative Office Bankruptcy Court Advisory Division and the chief bankruptcy judge. The bankruptcy court clerk renewed discussions in 2014, amid funding cuts and anticipated staff reductions. Although the district court's reaction was tepid, the parties realized that the bankruptcy court clerk's impending retirement might allow for consolidation without any layoffs. The chief district judge and chief bankruptcy judge conferred and, influenced partly by

¹³ Approval is being sought by way of a provision in pending budget requests that would grant authority upon passage of the judiciary's annual budget. The possibility of continuing resolutions complicates the picture somewhat.

the successful consolidation they had observed in the neighboring District of Idaho, agreed to consolidate their clerks' offices.

The district court clerk announced the decision to the staff of both courts, explaining the reasoning and assuring them that layoffs were not intended (or imminent). The bar was notified informally, and in a similarly informal manner the clerk took stock of what was being done well and what could be improved in both courts. Within weeks, the district court clerk had completed a programmatic study immersing personnel in identifying potential issues and challenges. By February 2015, an announcement was made that the bankruptcy court clerk was retiring and that the district court clerk would be acting in the consolidated clerk capacity going forward. By April 2015 the courts' communication and command structures were fully consolidated.

*Management structure.*¹⁴ The clerk's office works with a chief deputy for operations and a chief deputy for administration. The IT director, hired by the district court just before consolidation, now supports both district and bankruptcy operations, with no distinctions. The bankruptcy court and district court had already been sharing HR support and courtrooms successfully though not extensively, and this cooperation continued after consolidation.

The budget is worked out by the clerk, the two chief deputies, the staff member with budgeting responsibilities, and the IT director. No one person represents the bankruptcy court or the district court. There is no formula for allocating funds that benefit the district generally. The clerk must still contend with separate allocations for the district and bankruptcy courts, transferring dollars as needed throughout the year. Probation and pretrial services are fully separate except at year-end, when any district-wide surpluses are allocated. The clerk updates each of the chief judges monthly on resources, projects, and funding status.

¹⁴ A copy of the District of Montana's consolidated organizational chart appears at Appendix E. Because consolidation was so recent, also included is the pre-consolidation organizational chart.

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In general, the District of Montana maintains an informal governance structure based on trust, communication, and cooperation between the chief district judge and chief bankruptcy judge. The clerk facilitates that communication and works to harmonize demands and expectations.

Staffing. Although intake can be accomplished by staff at any courthouse (often with guidance from the bankruptcy specialists, who are all located in Butte), there is not extensive cross-training, partly because bankruptcy staffing is known to the bar and public to be centered in Butte. Indeed, the specialized knowledge of the bankruptcy court staff, and the clerk's ability to rely on it to function with little day-to-day supervision, was a factor that enabled the district to consolidate as smoothly and quickly as it did. As mentioned above, IT provides support across the courts as needed. The feel in the district is that the staff are all "one court family."

Outcomes. The district reports that consolidation has saved money, mostly in salaries. Some of those savings might have occurred without consolidation by way of attrition. The district also feels that its ability to provide IT coverage to judges sitting in dispersed locations has been improved with its new consolidated organization.

Personnel report that manuals needed to be revised in part because administration and operations guidelines for bankruptcy court staff were nearly entirely lacking. In fact, the two courts had very different cultures and practices before consolidation. Afterward, practices in place for the district court were immediately made applicable to bankruptcy court staff. Because of the initial reassurances, staff received the new employment policies with little complaint.

District of Vermont

The District of Vermont is relatively small geographically (although travel is sometimes hampered by routes and weather) and has a relatively small caseload and complement of judges.

Chambers for the chief district judge, a second district judge, a magistrate judge, and the chief bankruptcy judge (the district's sole bankruptcy judge) are located in Burlington.

Consolidation timing. The District of Vermont began considering consolidation in spring 2014 and decided to pursue it in September 2014. The district is operating as a consolidated unit with final congressional approval pending.

Impetus and process. There is every indication that the court of appeals "encouraged" the bankruptcy judge to consent to consolidation. The bankruptcy judge did consent, but only at the point of her reappointment, which had been delayed for months while consideration of the consolidation was pending.¹⁵ In the end, the decision to consolidate was supported by both the bankruptcy judge and the chief district judge.

During the period that consolidation was being considered, plans were made to move the bankruptcy clerk's office from leased space in Rutland to available space in new construction in Burlington. The Burlington office is a two-hour drive from Rutland, so the move created difficulties for staff, particularly given Vermont's winter weather. In Rutland, under the supervision of the bankruptcy court, bankruptcy staff members were telecommuting three days a week. With consolidation and the move, they could expect a maximum telecommuting opportunity of two days per week—a disquieting prospect for staff already anxious about their judge's long-delayed reappointment. Ultimately, the bankruptcy judge was formally reappointed only at the very end of a 180-day term extension, shortly after her consent to consolidation, and all but one of the bankruptcy staff chose to separate from the court.

With consolidation, therefore, the district's clerk needed to hire three employees for the bankruptcy court's new Burlington office, meanwhile losing decades of experience possessed by

¹⁵ The circumstances surrounding the bankruptcy judge's consent to consolidate are not a matter we delve into more deeply. The Judicial Conference has approved the consolidation plan, and although the district awaits final congressional approval, it has, as explained here, been operating on a consolidated basis for well over a year.

the Rutland employees. The chief district judge and chief bankruptcy judge resolved to work together with the clerk to make the consolidation successful.

After the decision to go forward was made, the district began working on a *de facto* consolidated basis immediately. As of January 2016, district and bankruptcy court IT support has been handled by one team. The clerk obtained approval to hire a second chief deputy, who now serves as chief deputy for operations of both the bankruptcy and district courts.

*Management structure.*¹⁶ Because it is a small district with a clerk and chief judges who manage somewhat informally, governance in Vermont is a nearly communal exercise. The clerk meets almost daily with the chief district judge and several times a week with the chief bankruptcy judge. Dedicated to democratic and transparent court governance, the chief district judge keeps all judges informed of issues that may affect them. The clerk has considerable autonomy to direct resources and funds but confers with the chief judges on major projects and expenditures. The chief judges have approached consolidation cooperatively and maintained open communication since its adoption.

Staffing. The courts' staff is not fully cross-trained yet, but there is every expectation that the new employees, who have come aboard with openness to the tasks they are given, will be trained to do more than specialized bankruptcy work and that in time cross-training will extend to more staff. Planned construction in Burlington will allow staff currently located on two separate floors to be combined, facilitating further cross-training.

In anticipation of consolidation, the district court's CM/ECF administrator was trained in the bankruptcy case management and filing systems and so was competent to step in at once. Post-consolidation, a bankruptcy staff member was trained as a jury administrator and thus contributes considerably to the district court's work.

¹⁶ A copy of the District of Vermont's consolidated organizational chart appears at Appendix F. Because consolidation was so recent, also included is the pre-consolidation organizational chart.

Vertical Consolidation of Court Clerks' Offices

Upon consolidation, IT employees were combined into one unit. The bankruptcy court's director of technology was replaced with a PC administrator, and the lead financial administrator from the district court side assumed supervision of the combined unit. Likewise, the district-side procurement and HR administrators assumed court-wide responsibilities.

Outcomes. Although some savings were bound to accrue with the bankruptcy court's move from leased space in Rutland to the Burlington courthouse, the district reports that it has realized considerable additional savings attributable to consolidation, principally in staff reductions and replacing senior staff with new hires.

The clerk's workload has increased significantly (similar to other districts with consolidated clerks' offices) and may require hiring an additional management team member, likely an administrative assistant to the clerk.

Districts with Previously Consolidated and Subsequently Deconsolidated District Court and Bankruptcy Court Clerks' Offices

Three districts consolidated the clerk's offices of their district and bankruptcy courts and operated in that fashion for a time but subsequently deconsolidated the clerks' offices. In each case, the bankruptcy court's dissatisfaction with resource allocation and perceptions of unfairness under consolidation contributed to deconsolidation.

Western District of Texas

The Western District of Texas consists of seven staffed divisions (Austin, Del Rio, El Paso, Midland-Odessa, Pecos, San Antonio, and Waco), with additional offices in Alpine and Fort Hood. District court convenes in the divisional and office locations throughout the district. Its complement of judges includes twelve active district judges, six senior district judges, and fifteen magistrate judges. The bankruptcy court includes four bankruptcy judges who sit in San Antonio, Austin, Waco, and El Paso. Two of the bankruptcy judges have chambers in San Antonio, and two have chambers in Austin. The district is geographically expansive and has a large workforce, with 700 employees in the district court and 60 in the bankruptcy court.

Consolidation timing. The district began considering consolidation in 1983 and considered it complete in 1984.

Impetus and process. The initiative to consolidate the district court and bankruptcy court clerks' offices came from the district court. Consolidation was not motivated by the need to assist the bankruptcy court with court administration or to solve case management problems. Rather, the stated objective was to streamline administration and operations to save money or, perhaps more accurately, to manage funds differently than under a separate courts–separate clerks model.

Vertical Consolidation of Court Clerks' Offices

The bankruptcy judges had little say in the decision to consolidate, as it was made in the mid-1980s before their consent was required. No attempt was made to blend existing court cultures, cross-train employees, or alter court governance to provide the bankruptcy court equal say or status.

Management and staffing. Following consolidation, the district court clerk became the chief unit executive for both the district court and bankruptcy court; however, staff continued to operate independently. An aspect of the district court's top-down culture was that bankruptcy positions were perceived to be less prestigious and less deserving of respect than district court positions. This led to the view in the bankruptcy court (a view eventually shared by both judges and staff) that the bankruptcy court's needs for services and support would always be less important than the district court's. Dissatisfaction was widespread.

Deconsolidation timing. The district began considering deconsolidation in 1993, and it was completed during the same calendar year.

Impetus and process. When the bankruptcy court first sought to deconsolidate, the district court did not object. Nevertheless, as staff aligned with or were assigned to the bankruptcy court, there was a sense that they were considered to be moving to a lower-tier workplace with a less important mission. The deconsolidation process, though uncontested, was unpleasant. When bankruptcy staff departed, they were told they "could not take so much as a pencil from the district court." At the same time, when the bankruptcy staff gained organizational independence, it was "like Christmas." The bankruptcy court viewed deconsolidation as an improvement that enabled procurement of much needed upgrades and equipment previously unavailable.

Outcomes. Currently, the bankruptcy court and district court operate nearly entirely independently. They may share training facilities, and there may be occasions when staff members attend training sessions together, but that occurs only by coincidence. Although the

district court shares HR and IT with probation and pretrial services, there is no structured sharing between the district court and bankruptcy court. For a time, the consolidation-deconsolidation experience soured the atmosphere for fostering cooperation between the courts. As of today, however, cooperative efforts are underway.

The general attitude was expressed that future consolidation attempts would be fruitless in the Western District of Texas (and, in the opinion of interviewees, most other places as well). Personnel believe that a district court clerk, whether operating in a consolidated environment or not, will always respond first to the needs and requests of a district court judge, and that over and above culture and attitude, the difficulty in allocating resources and support to a multitude of judges in a variety of locations is insurmountable.

Eastern District of Pennsylvania

The Eastern District of Pennsylvania has twenty active district judges, twelve senior district judges, and eleven magistrate judges. The district court is located in Philadelphia, with additional locations in Allentown, Reading, and Easton. The bankruptcy court is located in Philadelphia, where five of its six judges sit, and Reading, where the other judge sits.

*Consolidation timing.*¹⁷ The district first considered consolidation in 1984 and completed consolidation in 1985.

Impetus and process. At the time consolidation was initiated, management of the bankruptcy court, including perceived problems with case assignment and trustee assignment, were a concern to multiple groups, including the bankruptcy court, bankruptcy bar, district court, and members of the court of appeals. In short, operations at the bankruptcy court were

¹⁷ Although we have survey results and limited interview information from the Eastern District of Pennsylvania, our attempt to illuminate issues presented by the consolidation and deconsolidation was hampered by limited availability and a small set of persons with whom we were able to speak about pertinent circumstances.

Vertical Consolidation of Court Clerks' Offices

considered unsatisfactory on a number of levels. At that time there were three authorized bankruptcy judges, one of whom was not to be reappointed. The other two bankruptcy judges approached the district court about having their court managed by the district court's offices and, insofar as can be determined, the process went forward expeditiously and with little fanfare.

Management and staffing. As a result of district court oversight, reforms in the U.S. Trustee program, and appointment of new bankruptcy judges (bringing the complement to five), the managerial and operational issues in the bankruptcy court apparently were resolved. Due to the passage of time and unavailability of personnel with firsthand experience, our survey and interview process revealed few details about the management structure during the consolidated period, however.

It seems that during consolidation there was virtually no cross-training of staff. Rather, the courts, and their case management and administrative support offices, operated in separate silos. (Cost reduction was never the focus of consolidation.)

Deconsolidation timing. The district began considering deconsolidation in fall 1993 and set the process in motion in August 1994.

Impetus and process. Though the managerial and operational issues in the bankruptcy court had been resolved, dissatisfaction with the district court's equipment and facilities allocations and personnel assignments began to surface. Bankruptcy managers perceived inequities in the resources and personnel they were provided and in the way the bankruptcy court was treated vis-à-vis the district court.

The bankruptcy judges unanimously voted to deconsolidate the clerk's office and to appoint their own clerk. The district court objected and refused to authorize deconsolidation. The dispute was heated and was eventually presented to the circuit council. Although the council determined that the bankruptcy court was entitled to proceed over the district court's objection, there were very hard feelings. The atmosphere was described as "heated,"

“acrimonious,” and “very, very unpleasant.” Reportedly, the district court’s management team felt that it had “cleaned up the mess” at the bankruptcy court and, with that done, was being snubbed or cast aside. Meanwhile, the bankruptcy court, though better managed than before, felt it was being unfairly denied access to the resources it needed to complete tasks.

When deconsolidation was implemented, the bankruptcy court was quickly moved to a space separate from the district court—a location some described as less desirable than the one it had inhabited when consolidated.

Outcomes. For a significant period following deconsolidation, bad feelings stunted cooperation between the courts. These feelings have abated with time and changes in personnel, and the current relationship is reported to be cooperative and cordial.

Southern District of West Virginia

The Southern District of West Virginia has offices in Bluefield, Charleston, Huntington, and Beckley. During the time of consolidation through January 31, 2014, it also had an office in Parkersburg. Its complement of judges includes five active district judges, one senior district judge, one bankruptcy judge, and three magistrate judges. Three of the five district judges have chambers in Charleston. Beckley and Huntington each house chambers for one district judge, and Bluefield houses chambers for the one senior judge. One magistrate judge has chambers in Bluefield, one has chambers in Huntington, and one has chambers in Charleston. The bankruptcy judge has main chambers in Charleston and chambers space in Huntington and Beckley for dates when hearings are held in those divisions. The bankruptcy court convenes hearings in multiple locations, including Parkersburg, Bluefield, Charleston, Huntington, and Beckley.

Consolidation timing. The district began to consider consolidation in March 1997, began pursuing it in September 1997 and considered it complete in November 1999.

Vertical Consolidation of Court Clerks' Offices

Impetus and process. Around 1995 the chief district judge was inspired by his work with the Judicial Conference to float the idea of consolidation as a measure to use resources efficiently in the face of threatened budget cuts. The judges of both courts were willing to move forward with the arrangement. A memorandum of understanding was negotiated to address court governance and, more particularly, a budgeting process that gave the bankruptcy court an opportunity to make its case for its needs. The memorandum organized the district into three court units: administrative services, headed by the court administrator; operational services, headed by the clerk of courts; and probation and pretrial services, headed by the chief probation officer. Court unit executives were to be equals in status, with no single executive enjoying precedence or having supervisory powers over the other.

Management and staffing. In early 1997, some staff were relocated so that all operations staff were together and all administration staff together. The district anticipated that construction of a new courthouse in Charleston, scheduled for occupancy in late 1997, would provide adequate space for all staff. At the same time, the district court had been working to provide a single IT team to support itself and the probation office.

Even after consolidation, the management structure was still fairly siloed. The former bankruptcy court clerk was named clerk of the district and bankruptcy courts and supervised the consolidated staff for operations, while the former district court clerk was named court administrator and supervised the consolidated administration staff. The clerk of courts was responsible for all operational services, the court administrator for all administrative services, and the chief probation officer for all probation and pretrial services. A few years into the consolidation, the clerk of court left and a new clerk was appointed.

For the first years of consolidation, cross-training was extremely limited, and efforts to achieve it were ineffective. Bankruptcy management and staff were left with the ongoing impression that the bankruptcy side would always be a lesser component of the courts' work.

Vertical Consolidation of Court Clerks' Offices

For example, multiple interviewees reported that although the district attempted to create a unitary intake counter, district court staff did not become familiar with bankruptcy work.

After several years, the chief district judge who had spearheaded consolidation passed away and a new judge assumed the position. In addition, there was a change in court administrator. The bankruptcy judge came to believe that administrative support for the bankruptcy court's operations had diminished, in contravention of the memorandum of understanding. The bankruptcy court concluded that funds allocated for its operations were being used to pay expenses exclusively benefiting the district court, leaving the bankruptcy court with inadequate support. Significantly, IT support for the bankruptcy court's CM/ECF implementation was frequently siphoned off by the district court. The bankruptcy court felt it had to beg to get the help it needed. The district court felt this was not true.

Deconsolidation timing. The district began to consider deconsolidation in January 2005, pursuing it in August 2005 and completing it in November 2005.

Impetus and process. During the consolidation period, the situation had deteriorated to the point that the bankruptcy judge asked for deconsolidation. The district court disagreed that deconsolidation was the only way to resolve the situation and did not consent. After local and circuit-level attempts to settle governance disputes (with the hope of saving consolidation), the bankruptcy court insisted on its right to deconsolidate without the district court's consent. Ultimately, the bankruptcy court obtained a legal opinion from the Administrative Office's counsel confirming its right to end consolidation. The chief district judge decided not to oppose deconsolidation further. Due to the highly charged emotions on both sides, a physical separation of offices was deemed necessary. The bankruptcy court was moved out of shared space in a week's time. It was an acrimonious "divorce" for district, bankruptcy, and probation.

Outcomes. The fallout from deconsolidation lasted for a considerable time. Although relations have improved of late, the potential for continual shared administrative services has not been exploited as it might have been otherwise.

Conclusion

Vertical consolidation of a district's bankruptcy court clerk's office and district court clerk's office can work successfully and has been proven to do so in a number of circumstances. It can work in a geographically large district with a medium workload and complement of judges (e.g., the Southern District of Texas), in a medium-sized, semi-urban district (e.g., the Western District of Missouri), and in a small district (e.g., Idaho).

One key factor these successes have in common is trust—specifically, trust by the bankruptcy court that the district court will treat it fairly. This trust must be borne out. There must be a mutual and ongoing understanding of how the courts will be governed under consolidation, consistent treatment of the bankruptcy court and staff as equals insofar as administrative and operational priorities go, judicial attitudes that broadcast cooperation and inclusion through good times and bad, and continuing attention and adherence to expectations and agreements. The trust required to establish a successful consolidated clerk's office cannot be imposed. It must be fostered.

Another common factor appears to be a strong court executive whose loyalty runs equally to all judicial officers, who helps set the tone for unity and cohesiveness, and who treats all staff with equal respect. Consolidating clerks' offices is not without challenges, including but not limited to reassuring staff, shepherding them through growing pains, and tackling the additional burden of systems (such as budgeting) that are not well-structured for a consolidated environment.

Vertical Consolidation of Court Clerks' Offices

In districts that have experienced a successful vertical consolidation, the motivation was not cost savings. Vertical consolidation may hold the potential to save money over time, though in its initial stages it will require extra work (particularly by the management team) and may even require extra staffing (such as adding a chief deputy for bankruptcy operations, a position that may evolve to chief deputy for operations overseeing a unified staff). If cost savings rather than more effective dispatch of the courts' work is the motivating goal, there will likely be problems, starting with gaining consent, because the initiative will be viewed as an attempt to take resources away from the bankruptcy court.

Over time, savings may accrue through staff streamlining and reduced space requirements. Cross-training also has some potential to save money, but it takes time and the actual payback, if any, is hard to quantify. Cross-training is, however, an important step in integrating staff and workplace cultures. All in all, the amount of savings, if any, that might accrue from future vertical consolidations is unknown, as is the time within which potential savings might be realized. The potential for savings would depend on how individual courts implemented consolidation and, importantly, whether the consolidation received continued support so that it endured.

Situations in which vertical consolidation has been unsuccessful are marked by feelings of inequity and disrespect, particularly on the bankruptcy side. Unsuccessful consolidations seem to be associated with a breakdown in trust, triggered at least in part by a belief that commitments to equal governance have not been upheld. In addition, personnel from districts which ultimately deconsolidated their clerks' offices shared a perception, following implementation of consolidation, that there was unfair resource allocation or worse. Failed consolidations are painful and discourage trust in a way that goes far beyond the districts involved. They provide "I told you so" fodder for others intent on resisting such moves, and they

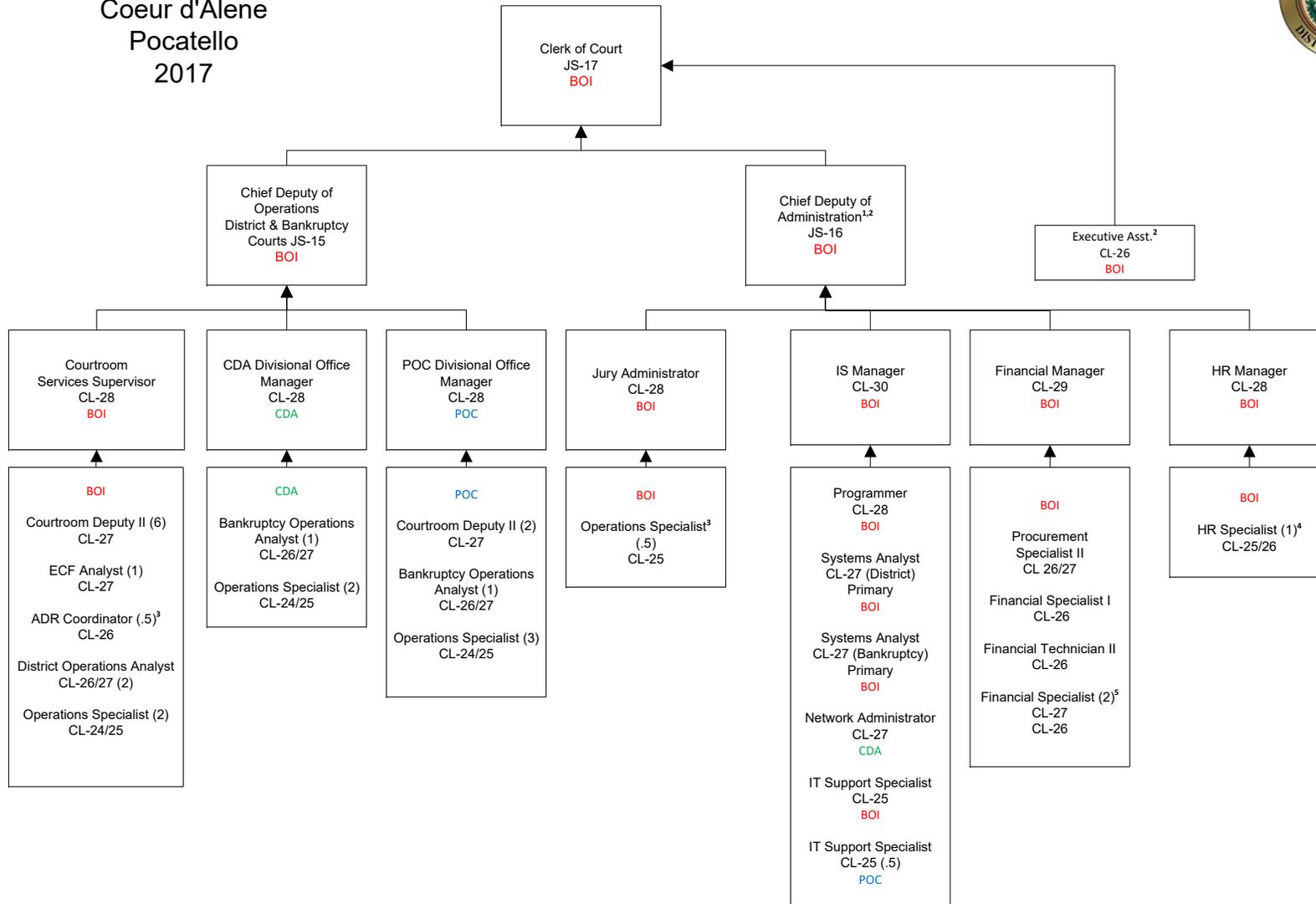
Vertical Consolidation of Court Clerks' Offices

discourage future efforts at cooperation. Negative feelings can linger for years, even decades. The nonmonetary costs of deconsolidation are high.

APPENDIX A
DISTRICT OF IDAHO'S ORGANIZATIONAL CHART

DISTRICT OF IDAHO

Boise
Coeur d'Alene
Pocatello
2017



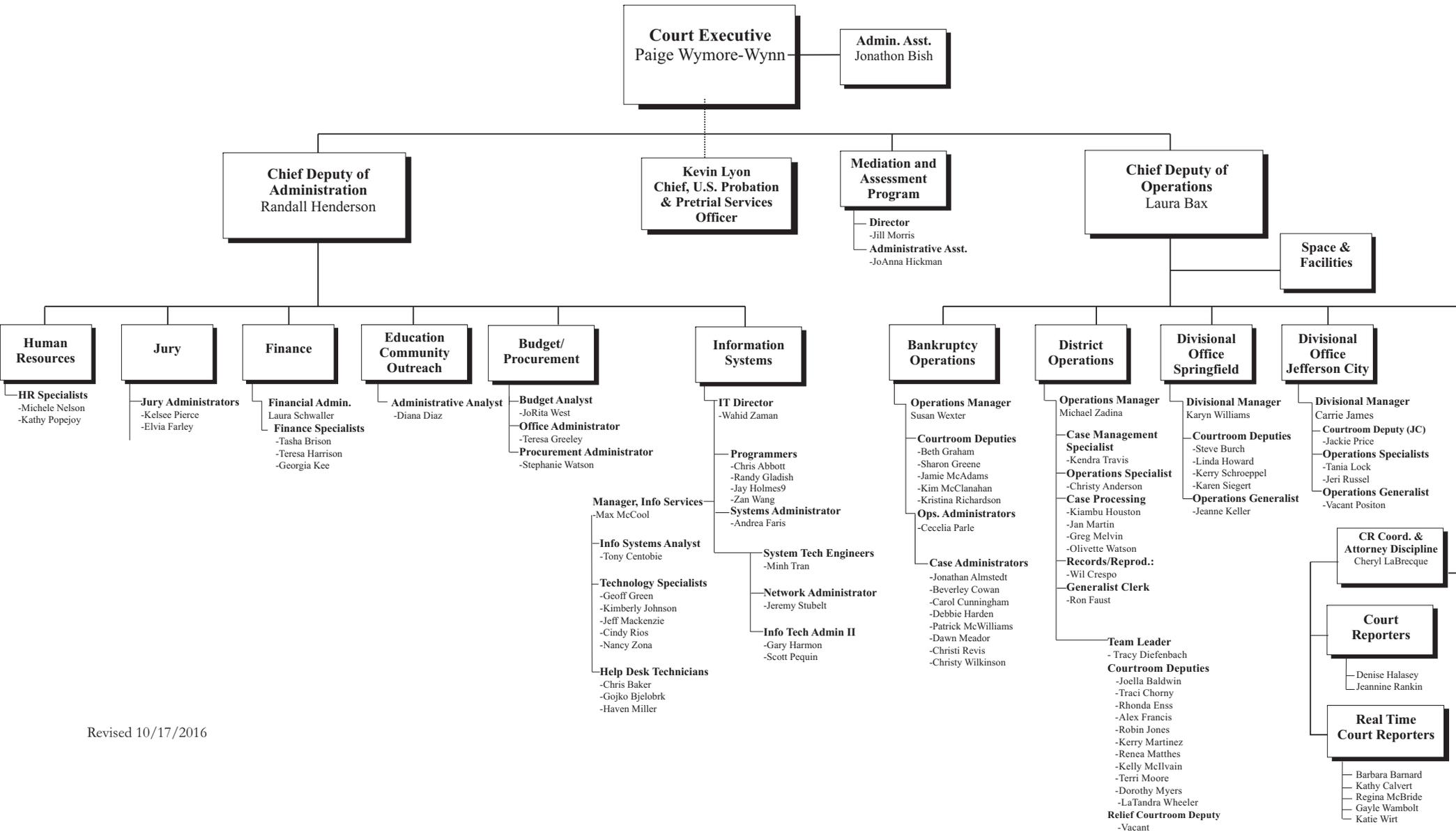
BOI = Boise, Idaho
CDA = Coeur d'Alene, Idaho
POC = Pocatello, Idaho

¹Also Oversees Probation IT
²Reports to both CUEs
³Same Employee
⁴Funded 50% by Probation
⁵Probation Funded

APPENDIX B

WESTERN DISTRICT OF MISSOURI'S ORGANIZATIONAL CHART

Western District of Missouri



Revised 10/17/2016

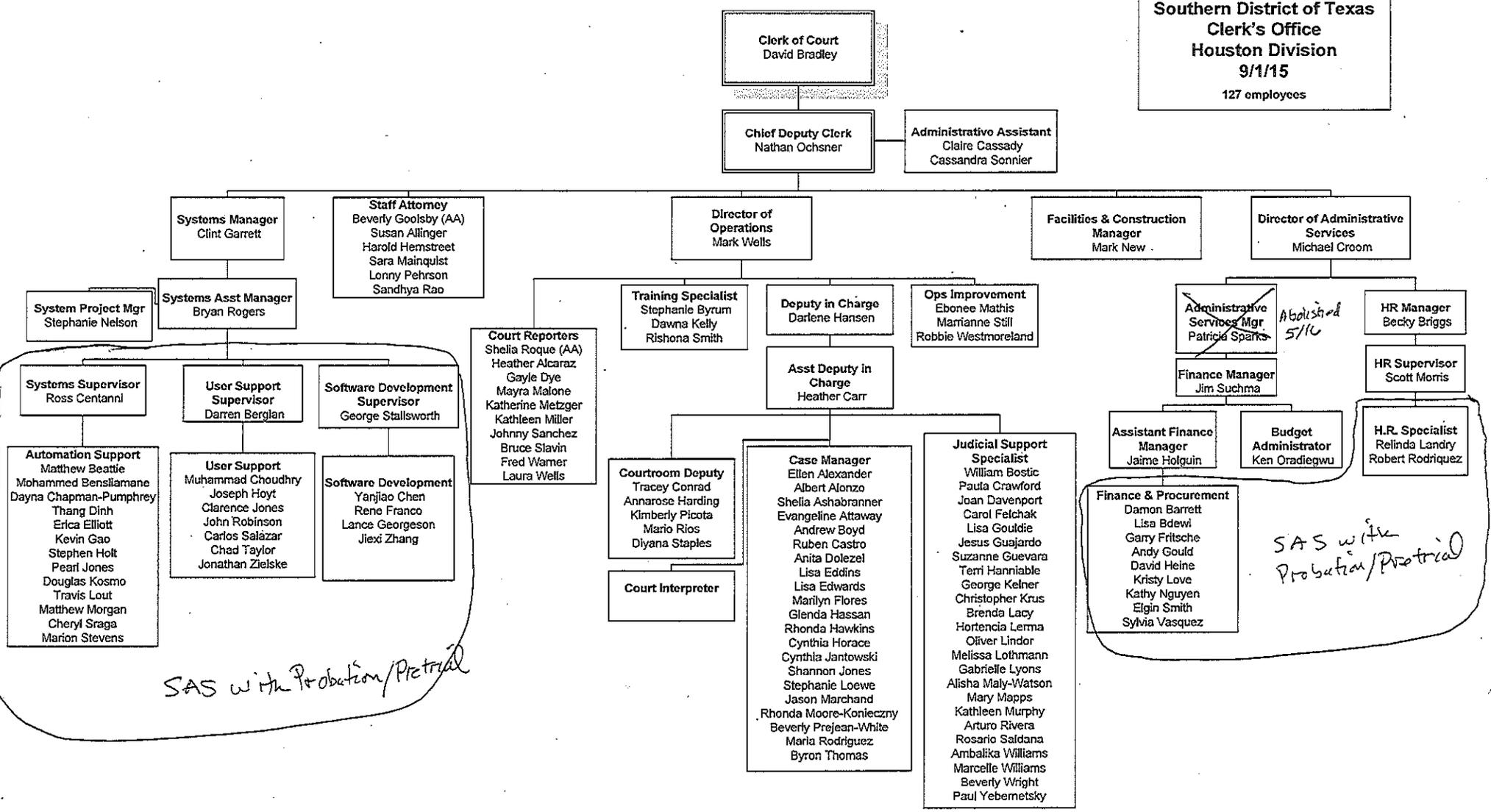
APPENDIX C

SOUTHERN DISTRICT OF TEXAS'S ORGANIZATIONAL CHARTS

201 DC+BC
 9 Interp
 11 Cf-Rep
 9.5 Staff Att
 0 PLC

 230.5

**Southern District of Texas
 Clerk's Office
 Houston Division
 9/1/15
 127 employees**

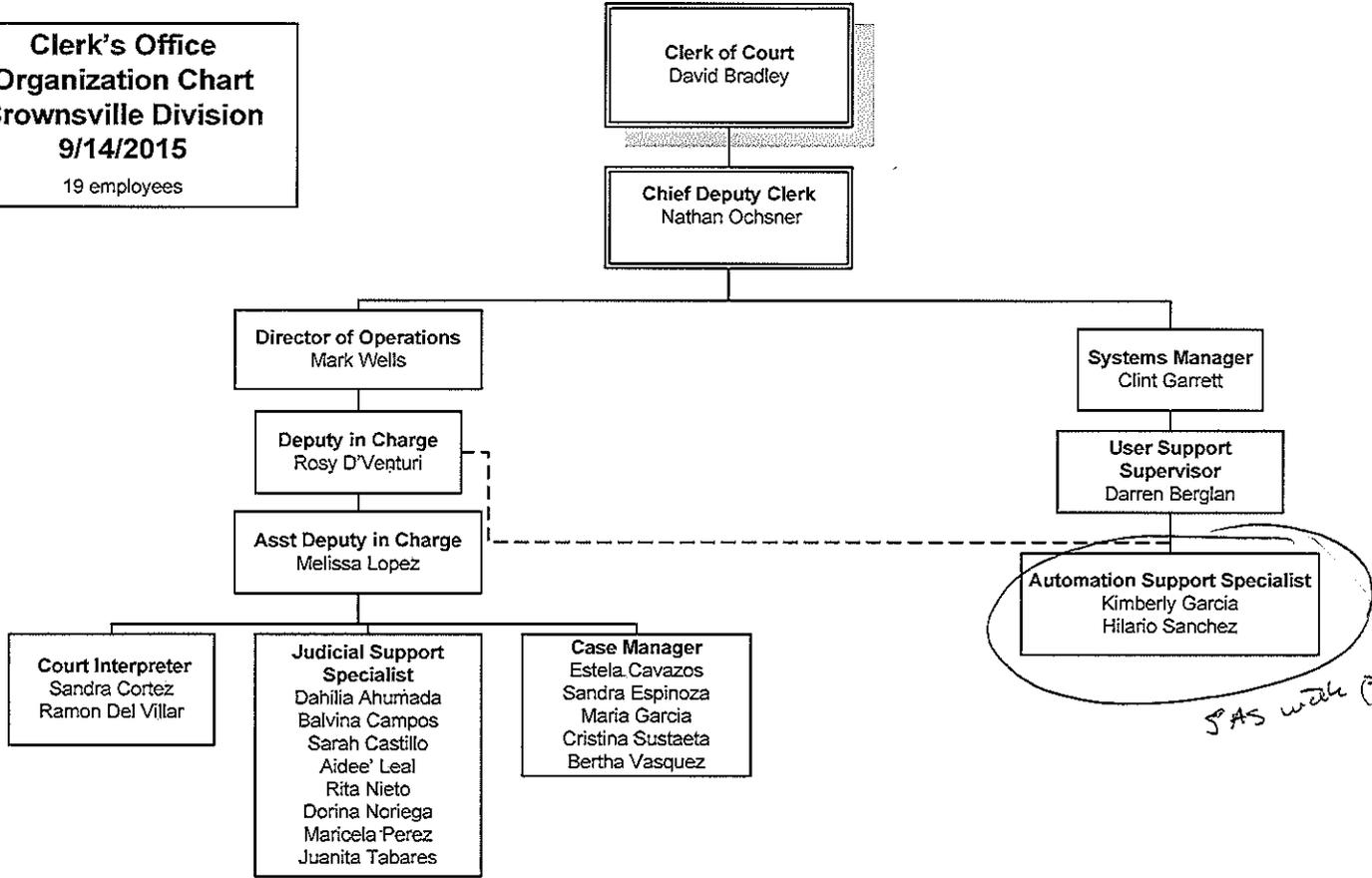


SAS with Probation/Pretrial

SAS with Probation/Pretrial

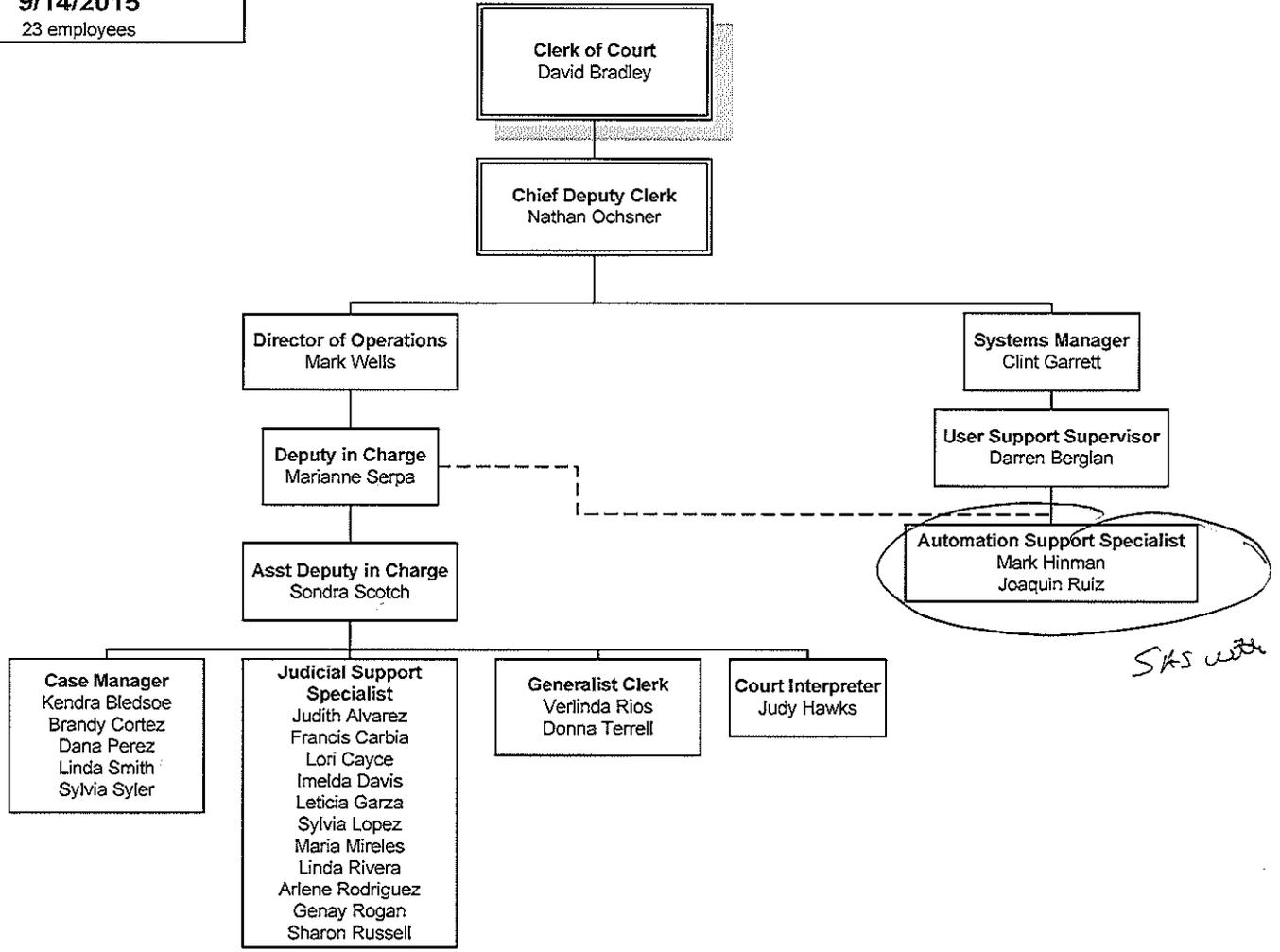
Abolished 5/16

**Clerk's Office
Organization Chart
Brownsville Division
9/14/2015**
19 employees



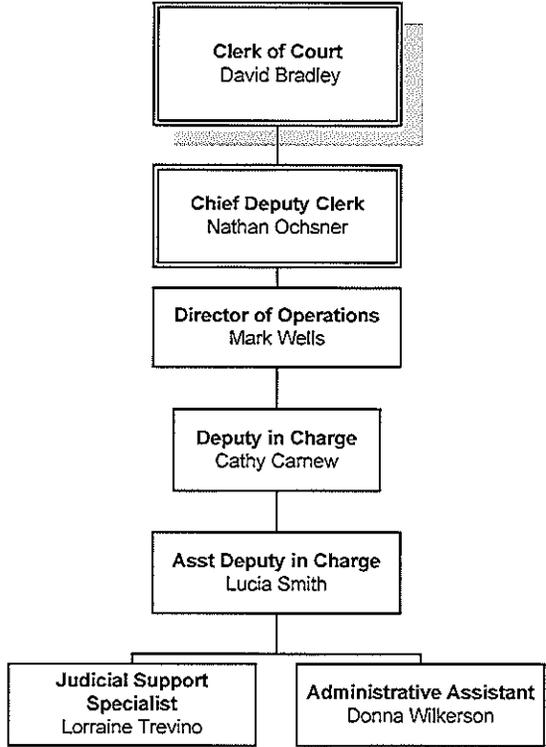
SAS work (no screen/print)

**Clerk's Office
Organization Chart
Corpus Christi Division
9/14/2015
23 employees**

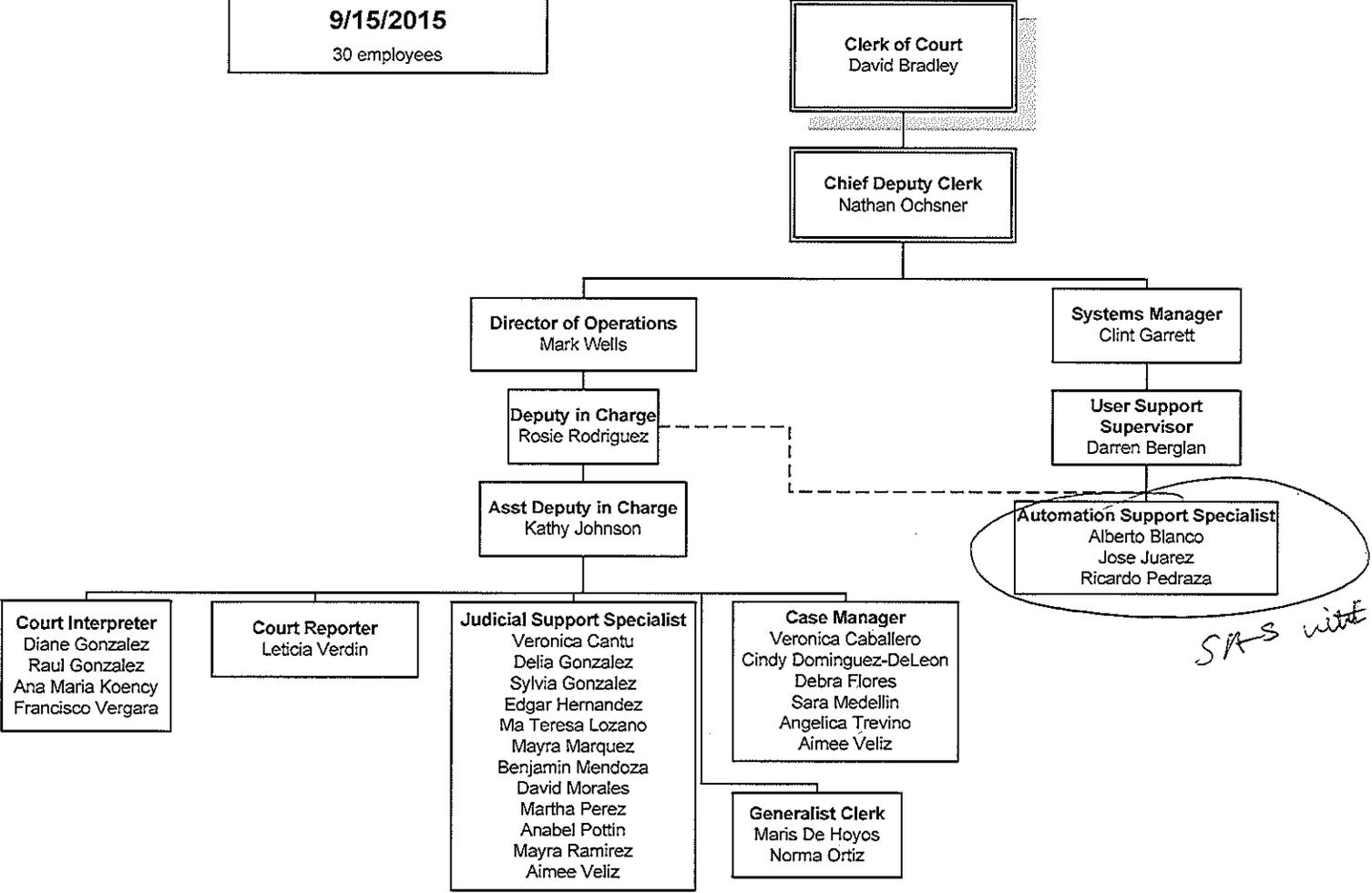


SSAs with production/pretrained

**Clerk's Office
Organization Chart
Galveston Division
9/14/2015**
4 employees

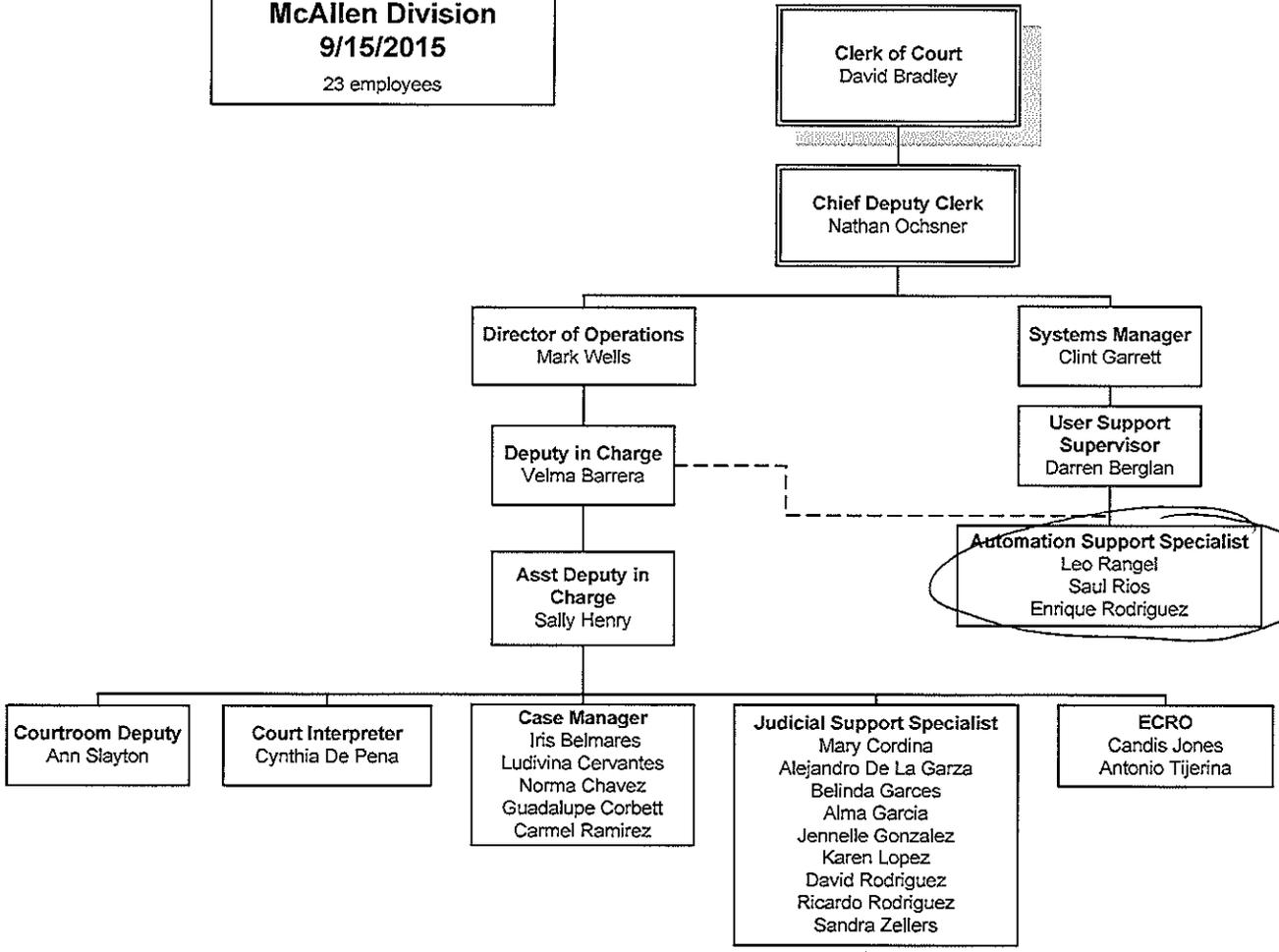


**Clerk's Office
Organization Chart
Laredo Division
9/15/2015**
30 employees



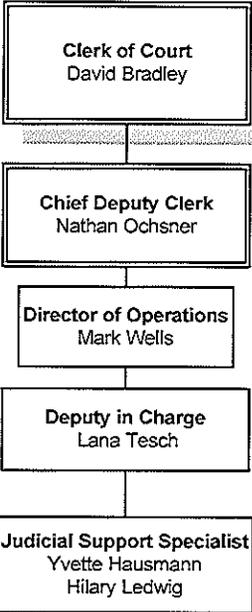
SAS with probation/preferred

**Clerk's Office
Organization Chart
McAllen Division
9/15/2015**
23 employees



SAS with protection/prohibit

**Clerk's Office
Organization Chart
Victoria Division
9/15/2015**
3 employees



**Southern District of Texas
Organizational Chart – Supplemental Notes**

- Organizational chart is about a year old. Some of the names may have since changed and one management position was abolished in May 2016 as indicated in the Houston Division - headquarters.
- Chart indicates the areas/employees who are considered SAS with probation/pretrial (probation is now consolidated with pretrial). These people are carried on the clerk's payroll and half (49% to be exact) of their salaries are reimbursed annually by probation.
- The following managers are part of SAS in that they are responsive to the Probation Chief, but are directly supervised by the Clerk with no salary contribution from probation: Systems Manager, Assistant Systems Manager, Systems Project Manager, HR Manager, and HR Supervisor.

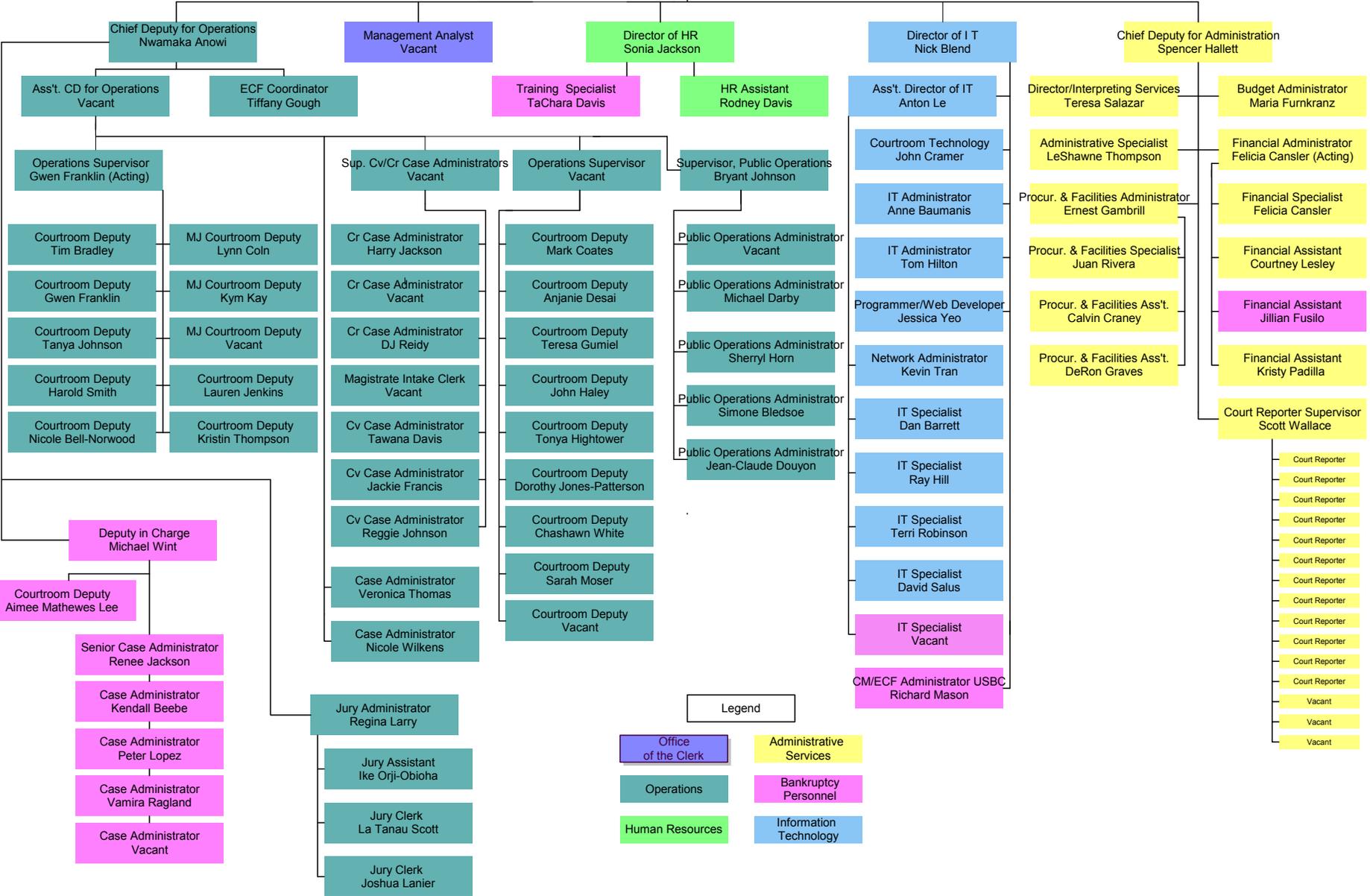
APPENDIX D

DISTRICT OF COLUMBIA'S ORGANIZATIONAL CHART

**US DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA
OCTOBER 2016**

**Clerk of Courts
Angela D. Caesar**

Ass't to the Clerk of Courts
Denise Watson



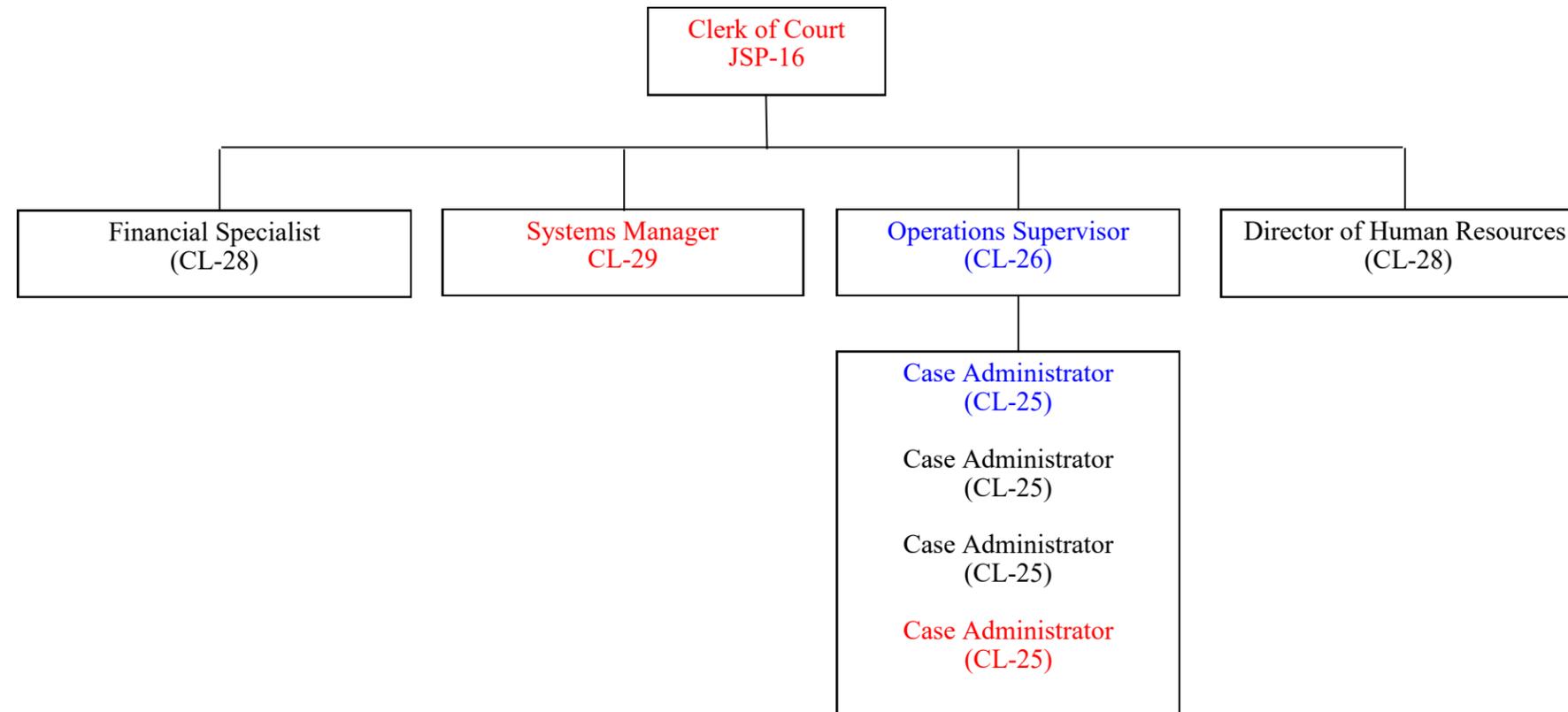
Legend

- Office of the Clerk
- Operations
- Human Resources
- Administrative Services
- Bankruptcy Personnel
- Information Technology

APPENDIX E

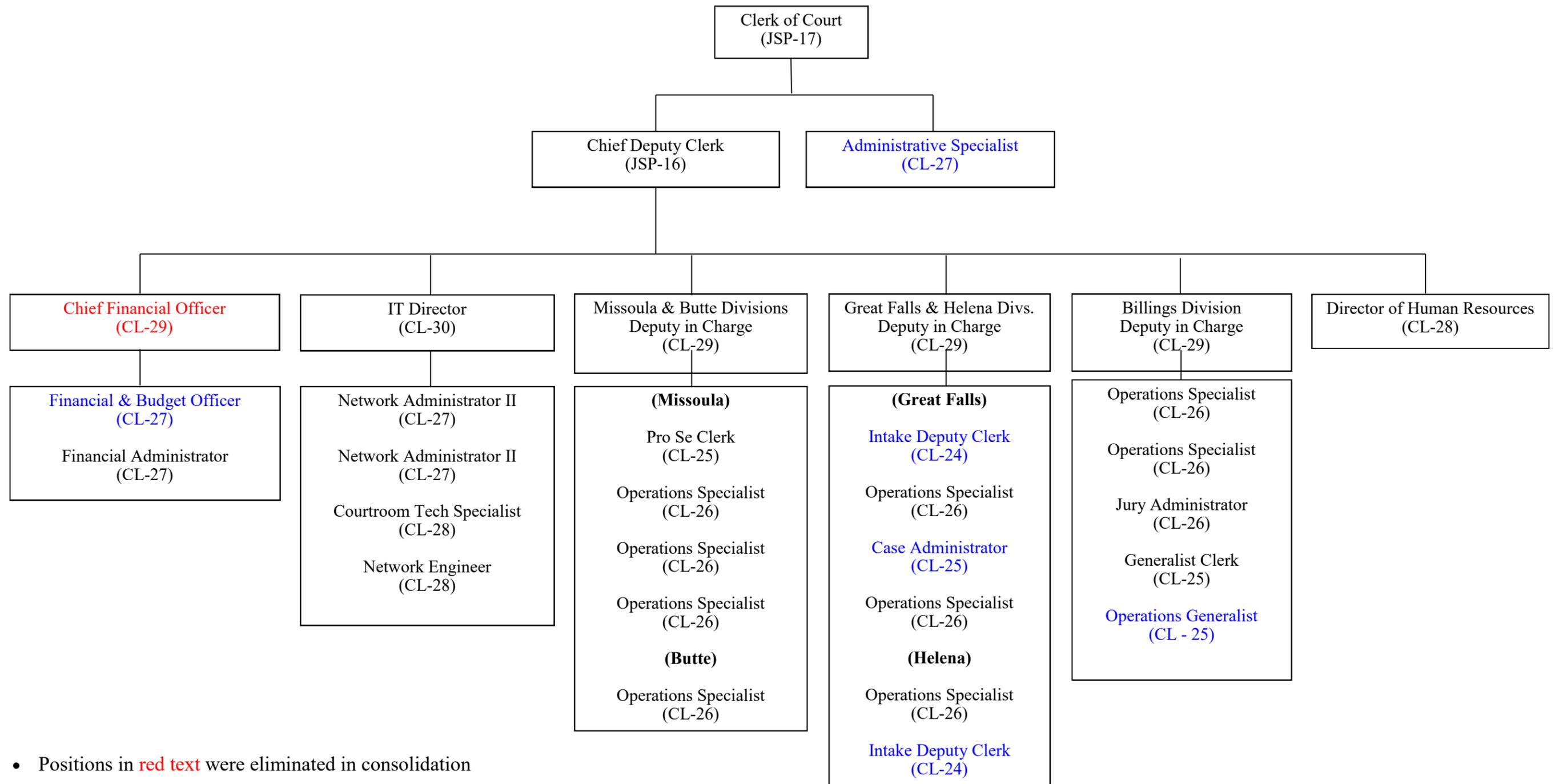
DISTRICT OF MONTANA'S ORGANIZATIONAL CHARTS

District of Montana U.S. Bankruptcy Court - Pre-consolidation Org Chart (January 2015)



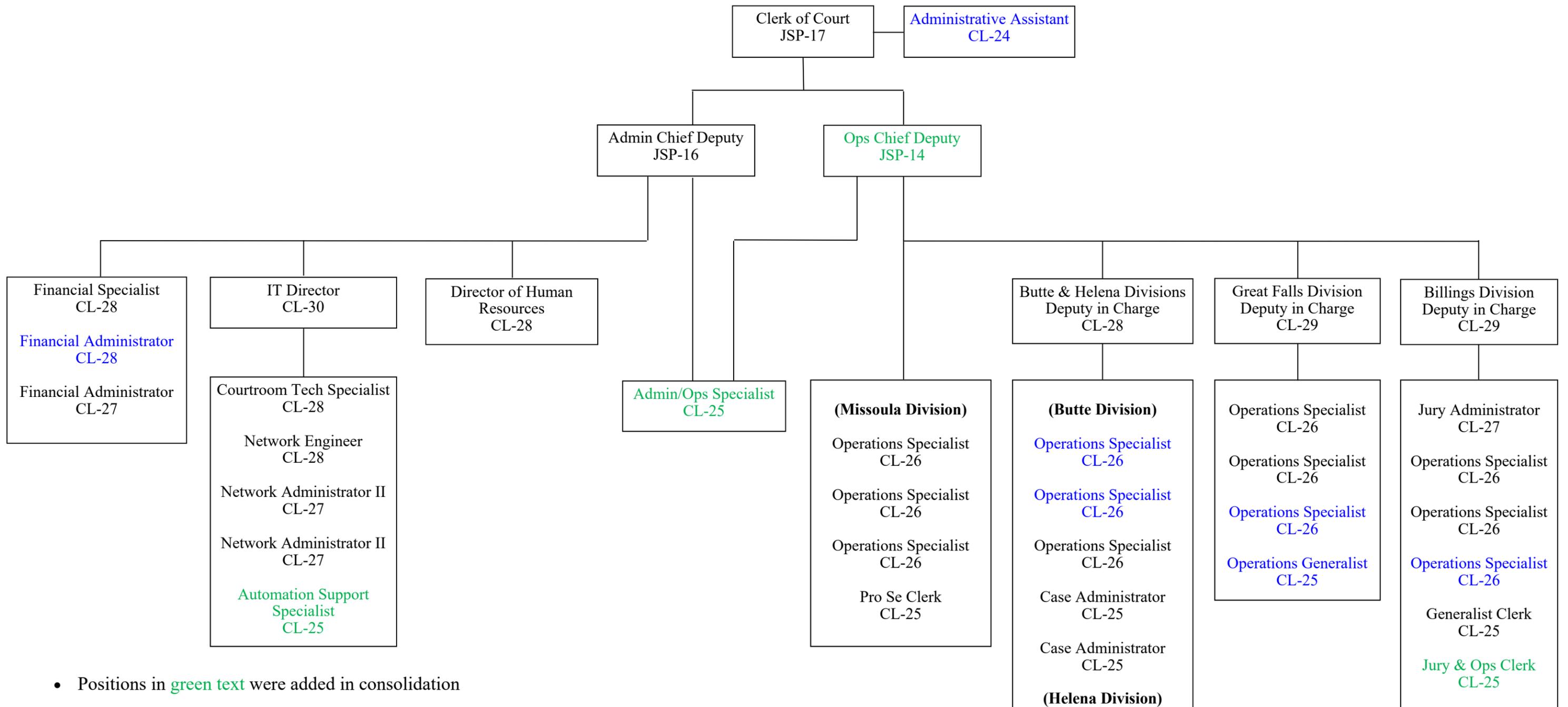
- Positions in red text were eliminated in consolidation
- The human resources director was a single shared position prior to consolidation
- Positions in blue text were reclassified during or after consolidation
- Annual bankruptcy clerk's office salary as of January 2015: \$676,707

District of Montana U.S. District Court - Pre-consolidation Org Chart (January 2015)



- Positions in red text were eliminated in consolidation
- The human resources director was a single shared position prior to consolidation
- Positions in blue text were reclassified during or after consolidation
- Annual district clerk's office salary as of January 2015: \$2,516,188

District of Montana Consolidated Clerk's Office - Organizational Chart (September 2016)



- Positions in **green text** were added in consolidation
 - Positions in **blue text** were reclassified during or after consolidation
 - Combined annual clerk's office salary as of January 2015: \$3,192,895 (39 on-board staff)
 - Combined annual clerk's office salary as of September 2016: \$3,019,368 (39 on-board staff)
- Difference: (\$173,527)

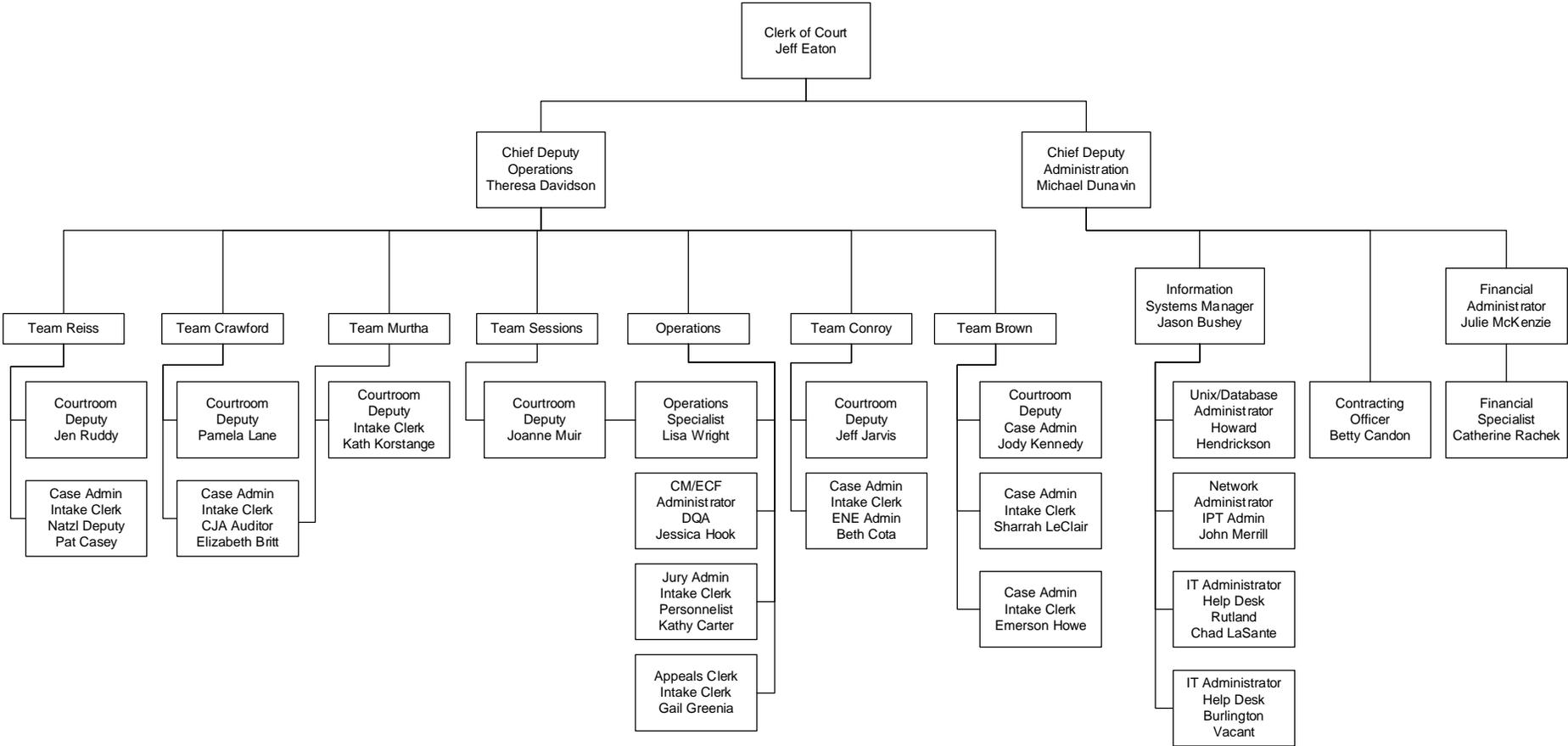
(note: both salary figures include official court reporter salaries, but on-board staff number excludes court reporters)

APPENDIX F

DISTRICT OF VERMONT'S ORGANIZATIONAL CHARTS

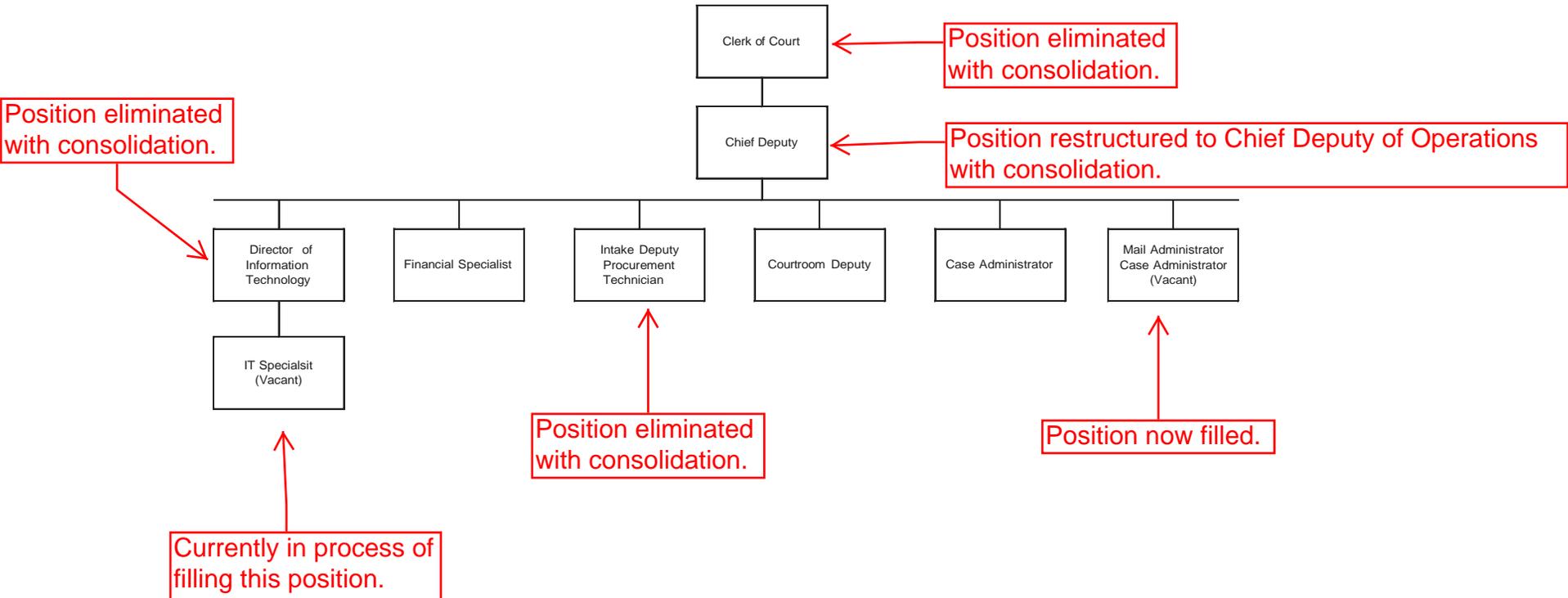
**CURRENT ORGANIZATION CHART - CONSOLIDATED COURT
AS OF SEPTEMBER 15, 2016**

District of Vermont
Consolidated Clerk's Office



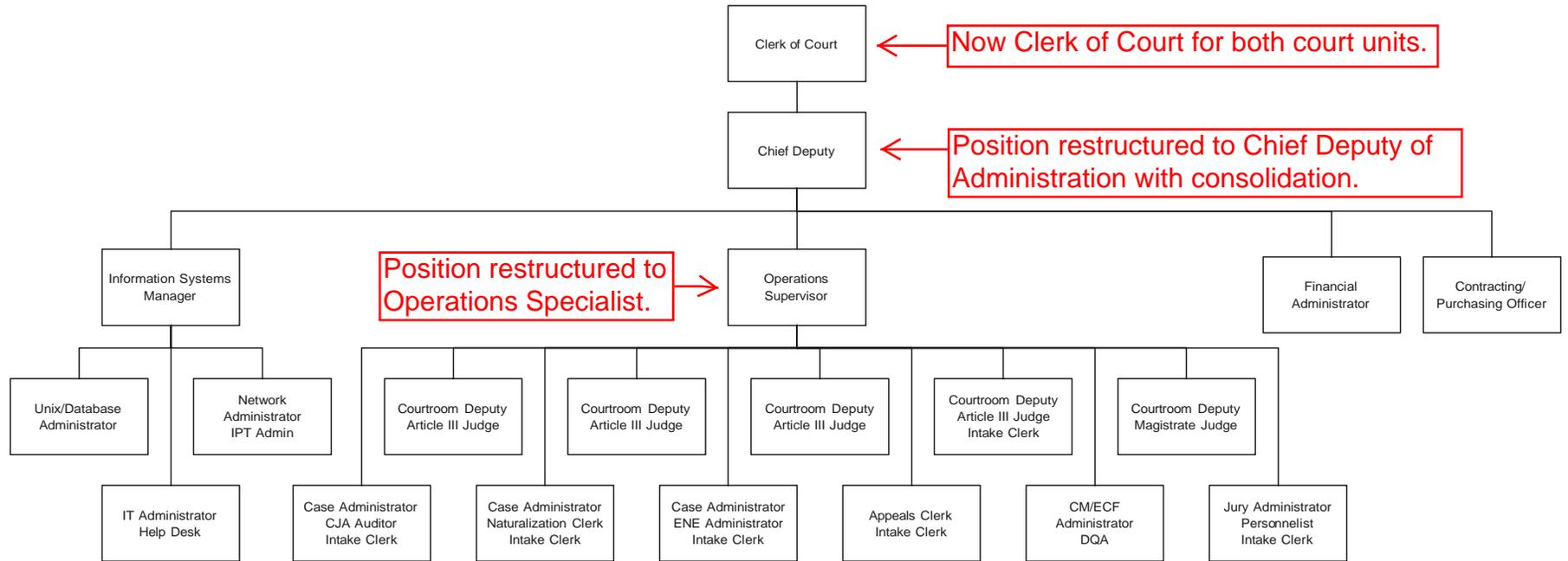
USBC - ORGANIZATION CHART - PRE-CONSOLIDATION

Bankruptcy Court Clerk's Office



USDC - ORGANIZATION CHART - PRE-CONSOLIDATION

District Court Clerk's Office



PROPOSED ORGANIZATION CHART AS ORIGINALLY PRESENTED IN CONSOLIDATION PLAN

District of Vermont
Proposed Consolidated Clerk's Office

